IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 16218 of 2004

Between:

Sri K. Mohan Rao, S/o. Pentaiah,
R/o. Kannapuram, Koyyalagudem Mandal, West Godavari District.

..... PETITIONER

AND

1 The Vice-Chairman and Managing Director, Andhra Pradesh State Road Transport Corporation,
Musheerabad, Hyderabad.
2 The Divisional Manager, Andhra Pradesh State Road Transport Corporation,
Eluru Division, Eluru, Andhra Pradesh.
3 The Depot Manager, Andhra Pradesh State Road Transport Corporation,
Jangareddigudem Depot, West Godavari District, A.P.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ / Direction or Order preferably in the nature of Writ of Mandamus directing the Respondents to reinstate the petitioner into service while setting aside the order No. 02/95(60)/2002-JRG, of the 3rd respondent dated 28-05-2004 and also the subsequent rejection of the appeal by the second respondent No. Steno/19(26)/2004-DVM:ELR, dated 15-7-2004 as being illegal, arbitrary and violative of Article 14, 16 and 21 of the constitution of India in addition to being opposed to principles of natural justice.

Counsel for the Petitioner: MR.A.SRINATH

Counsel for the Respondents: SC FOR APSRTC

The Court made the following :

THE HONOURABLE DR.JUSTICE G.YETHIRAJULU

WRIT PETITION NO.16218 OF 2004

ORDER:

Though there is a statutory remedy of review under Regulation 29 of the Service Rules, the petitioner approached this Court through this Writ petition. The writ petition at this stage cannot be maintained. Therefore, the writ petition is dismissed giving liberty to the petitioner to file a review petition before the concerned authority. The period spent for filing this writ petition shall be excluded for the purpose of limitation.

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(Dr.G.YETHIRAJULU,J)

Dated: 10.9.2004.

Mdaa.

Copy to:

1 The Vice-Chairman and Managing Director, Andhra Pradesh State Road Transport Corporation,
Musheerabad, Hyderabad.
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4. Two C.D.Copies.